

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RONALD LEE LLOYD,

Plaintiff,

vs.

CITY OF ST. CHARLES, MO, et al.,

Defendants.

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Case No. 4:07-CV-1935 (JCH)

MEMORANDUM AND ORDER

The matter is before the Court on Plaintiff's Motion for Leave to File an Amended Complaint, filed January 29, 2008. (Doc. No. 13). Defendants have no objection to this motion, but ask that their motion to dismiss filed prior to Plaintiff's motion be treated as addressing the Amended Complaint. (Reply, Doc. No. 15).

Upon consideration, the Court will grant Plaintiff leave because the Court "should freely give leave when justice so requires." Fed. R. Civ. P. 15(a)(2). Additionally, the Court will dismiss the pending motion to dismiss without prejudice. Following Defendants suggestion may cause the docket to become needlessly confusing.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Leave (Doc. No. 14) is **GRANTED**.

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss (Doc. No. 7) is **DENIED** without prejudice.

Dated this 11th day of February, 2008.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE